



## DISABILITY AND COMMUNICATION ACCESS BOARD

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### INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

**Docket:** **DCAB 2000-03:** Interpretive Opinion on ADAAG 4.3.1. This is a request for an interpretive opinion regarding whether asphalt footpaths are required to be designed and constructed to be accessible for people with disabilities.

**Summary:** These footpaths are considered temporary quick fixes. Asphalt surfaces are often installed in lieu of concrete sidewalks as part of a maintenance project, done in-house, to provide a walking surface for residents in a community most commonly, by county governments. Because these footpaths are intended to substitute for more permanent (and costly) sidewalks, they are used as the pedestrian route in the public right of way. Fully accessible footpaths may not be achieved unless they are constructed so that the footpath meets the minimum requirements of accessible routes; e.g., maximum 2% cross slope, and having a stable surface.

**Ruling:** For buildings or facilities subject to HRS § 103-50,

#### **ADAAG 4.3 Accessible Routes**

Asphalt footpaths installed for pedestrian use along a public right-of-way shall be installed to meet the requirements for cross slopes, clear width, surface texture, and changes in level. The final construction will provide for usability by persons with disabilities that complies with the minimum requirements of ADAAG 4.3, Accessible Routes. Standard details and construction methods should be developed by the agency installing the asphalt footpaths to facilitate usability when constructed.

[Rul: 10/11/00] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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